## A SQUARE ISSUE.

Shall Democracy Be Preserved---Shall the Constitution Be Defied or Respected?

## **STOP THE INCOME TAX**

Argument by the Hon. Franklin Bartlett of New York.

From the Congressional Record of Dec. 11. Mr. Bartlett-Mr. Chairman and gentlemen of the committee, on the firstday of this session I introduced a bill for the repeal of the incometax provision of the Tariff act of Aug. 28, 1894. I am aware that that bill will never see the light in this session. I realize the fact that my bill providing for the repeal of the income tax will remain in committee, and if the committee should meet, that it will receive no favorable deration. The only other course, therefore, left to me, believing conscientiously as I do in the iniquity of this tax, is to endeavor to de-

fere, left to me, believing conscientiously as I do
in the iniquity of this lax, is to endeavor to defeat the appropriation for the collection of the
tax, which comes up in the Urgent Deficiency
Appropriation bill.

I know that the vast majority of my party in
this House is against me on this question. I
know that I shail not receive any aid on this appropriation question from the Republican party
as a party. Let me say now. I do not consider
this question of the income tax a party question.
I have never considered it a party question, and
I think that the course of any man taken in opposition to this tax does not impair his party
fealty or fidelity one jot or tittle.

Now, gentlemen of the committee, it is to the
interest of the city which I have the honor to
represont in part upon this floor; it is to the interest of the whole State of New York; more
than that, it is to the interest of the whole North
and East, and Middle States: it is to the interest
of most of the communities in the West, and
if they but knew it, I believe it is for the real
interest of the South and Southwest, that
this tax should not be collected, that the
linears as the conflict, now that the
hatter is collection. Now that we have come
back from the conflict, now that the battle
clouds have cleared away, it seems to me that
we should be prepared to take up this question
of taxation apart from considerations which
might have affected us at an earlier period, and
that we should look at it in a calmer spirit and
consider it in a more judicial light.

I think the Congress made a great mistake when they passed the Income Tax law,
When they incorporated that provision in
the Wilson bill, I think they made a most
serious error of judgment and a fatal mistake in
party policy. I think they failed to realize that
It must strike many of the States of this Union
and the citizens of many of the States of this
Union. They failed to understand that the imparty policy. I think they failed to realize that

position of an income tax in time of peace was in reality a blow at property and the rights of

position of an income tax in time of peace was in reality a blow at property and the rights of property.

That it did strike many of our citizens in that way has been. I think, clearly deminanterated within the last few weeks. The people of the North and the people of the East and the people of the middle States, the poor people, realize that the ultimate burden of this tax must fall upon them. Rich and poor in my community, all classes of the people, whatever be their income, below \$4.000 or above it, are opposed to this tax. Why? Recause they believe it to be class discrimination; because they believe it to be class discrimination; because they believe it to be a tax which must ultimately fail upon the poor. That is, the poor people believe that, and they know it must do so.

It will fail upon the poor in two or three ways, it will fail upon the pocause their rents will be increased incritably, in so far as the tax affects the rents and profits of real estate. Again, it will fail upon the poor, because it will detergated in the rents and profits of real estate. Again, it will fail upon the poor, because it will detergate the rents and profits of real estate. Again, it will fail upon the poor, because it will detergate the rents and profits of real estate. Again, it will fail upon the poor, because it will detergate the rents and profits of real estate. Again, it will fail upon the poor, because it will detergate the rents and profits of real estate. Again, it will fail upon the poor because it will detergate the rents and profits of real estate. Again, it will see the season to be taxed \$20 on every thousand, and when they see in this tax a manifestation of a spirit of hostility to capital which seeks to attack it in whatever way it can be reached.

Then, too, we realize that whatever may be

Then, too, we realize that whatever may be said by politico-economic writers in favor of the theory of an income tax, not one writer of any distinction or eminence has ever chaimed that it is a tax that can be collected in honesty. In other words, those writers all agree that whatever may be said in favor of it in theory, in practice it is the most pernicious and iniquitous of taxes. You all know that merchants with small incomes and resources, in the old days of the war when this tax obtained, would make false returns in order to secure insire credits. You know, too, on the other hand, that many people with large incomes would make false returns and depreciate their incomes in order that they might escape the burden of the tax. Then upon whom did the tax really fall?

It fell upon the honest man. The dishonest man, the man who would not hesitate to perfure himself, escaped the burden of this tax. Now, if that were the way during the war days, do you think it will be any better at this time? Do you think that men have changed? Do you think that men have changed? Do you think that the agents who collect this tax will hesitate to exact and to accept bribes? I thought that it was the theory of the Democratic party that all unnecessary taxniton is unjust taxnation. I have read that phrase in many of our platforms and I believe that it is true. What excuse can there be, then, for the levying of an income tax in time of peace?

The income tax has always been a war tax. In eached.

Then, too, we realize that whatever may be aid by politico-economic writers in favor of the

be, then, for the terrious time of peace?

The income tax has always been a war tax, in this country certainly. Its origin in Great Britain was due to the extenceles of a war, and it is owing to the necessity of keeping up their enormous standing army and their havy that the common was to levied now from year to year.

Britain was due to the existencies of a war, and it is owing to the necessity of keeping up their enormous standing army and their havy that the income tax is levied now from year to year in Great Britain. Even there, however, it has never been a popular tax, and it would not be allowed to exist for six months, if there were any other way of raising revenue adequate to support the army and navy.

In connection with my statement that the income tax is a war tax I call attention to the remarks of Chief Justice Chase, in the commencement of the opinion in the case of Veazie Hank agt. Fenno, where he says that owing to the financial exigencies of war times it became necessary for the legislative and administrative departments to devise new schemes of currency and taxation: and if you examine the cases in the Supreme Court of the United States alleged to bear on the income tax you will find that each and all of them relate to some war tax. Commencing with the case of the Pacific Insurance Company agt. Soule, reported in 7 Wallace, which was decided. If I mistake not, in 1868, and which involved the question of a tax on the business of an insurance company—commencing with that case and continuing through the three cases applicable to this question of an income tax, you will find they all arcee upon war taxes. If you take the next case, two years later, reported in 8 Wallace, the case of Veazie Hank agt. Fenno, you will find it there held that the State bank tax of ten per cent, bank tax was a tax on the the powers and faculties of the State governments and was unconstitutional, and I believe that the greater portion of the Democratic members of this House agree with that unconstitutional.

Wallace, we find that it is there held that a suc-

believe that the greater portion of the Democratic members of this house agree with that its class that the state bank has it unconstitutional.

When we come to the third case, reported in 20 Wallace, we find that it is there held that a succession tax is not a direct tax. So we can discussed in the country of the count

last resort it will be determined that in essence an income tax is a capitation tax or a poil tax, and that it is therefore a direct tax according to the former decision of the Supreme Court, and is therefore unconstitutional, not being apportioned among the several States according to their respective numbers.

So I say there is one point undetermined, untested, which has never been raised before the Supreme Court of the United States. There is another reason why I contend we should not asknine at the decision in the Springer ass. Referring to the decision in the Springer ass. Referring to the delate in the Frederal Convention on the morning of July 12, 173, when the provision that direct taxes shall be apportioned among the States according to their respective numbers came up for consideration, Justice Swayne said. 'I does not appear that an attempt was made by any one to define the exact meaning of the language employed," or the words "direct taxes."

You will remember that Mr. Gouverneur Morris, representing in that Constitutional Convention the great Commonwealth of Pennsylvan's, but having before that time been a member of Congress from the State of New York, offered a resolution in these words:

Taxation shall be in proportion to representation.

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And when it was pointed out to him that that would be too broad, that it would not do to say that all Pederal taxation should be apportioned according to representation, he inserted the word "direct," prefixing it to "taxation," and offered the resolution in this form:

Direct taxes ought to be proportioned to representation.

And then he said by way of explanation, "The

And then he said by way of explanation, "The rule would be inapplicable with regard to indirect takes"—on what? "On experts and imports, and on consumption "showing that, according to the interpretation then given by the very member who offered this constitutional provision. It was intended that indirect takes should include only three classes—duties on imports, takes on experts, and excises of takes on consumption.

Of course, you all know who Gouverneur Morris was. You know that among the great men of that epoch but few stood higher. Sent at an early age from the State which I have the honor to represent as one of its members to the national councils, he took a distinguished position. He was ready, fluent, and eloquent in debate, and at the same time rendered most efficient and constant service in committee work. He was a man who on questions of fluance stood second to none, not excepting the great names of Bobert Morris. Alexander Hamilton, or Thomas Jefferson. He was a man familiar with financial questions, and to him we owe our national system of coinage.

If there was one subject that he had studied more than another it was this very question of taxation. For you remember, gentlemen, all the troubles of the confederation had arisen from the imperfect methods of taxation from the fact that the Federal Congress had no right to tax, and the further fact that the Federal Congress had no right to regulate trade and commerce. And so, when the Articles of Confederation were ahandoned and a constitution was framed by the Convention of 1787, the question of the division of the right of taxation between the Federal Government and the States was the most Important question presented for consideration.

As for the contemporaneous exposition of the

consideration.

As for the contemporaneous exposition of the meaning of the terms "direct taxes" or "indirect taxes," I will call the sitention of the committee to one very great authority, a member of Congress from the State of Massachusetts, Theodore Sedgwick, who, in a debate here on May 6, 1794, said:

that is, according to the opinions of the great men, of the leaders of thought and action at macording to these opinions a capitation tax and taxes on land and on property and income generally were a direct charge as well in the immediate as ultimate source of contribution.

direct charge as well in the immediate as ultimate sources of contribution.

So much for contemporaneous construction of the terms "direct taxes" and "indirect taxes." A word or two about the celebrated "carriage case, because if you examine the decisions of the Supreme Court of the United States—I aliude to the four cases to which I have aiready referred—the case of the Pacific Insurance Company agt. Soule, Veanie sank agt. Fenno, Scholey agt. Rew, and the United States agt. Springer—you will note that the Judges rest their opinions on the celebrated carriage case of the last contury—that is, the Hylton case, referred to in 3 ballay. Now, what was that case? It was a case where a question carriage case of the last century—that is, the Hylton case, referred to in 3 Pailax. Now, what was that case? It was a case where a question arose as to whether a tax levied on carriages, or chariots, as they were then termed, was a direct or an indirect tax; and the Supreme Court of the United States heal that such a tax was an indirect tax. There are two reasons and two points of view which distinguish that case from any of the others. One is the fact that Hylton possessed 125 carriages, and no matter how this fact was explained by him it showed that they were hackney carriages and not on Hylton himself. Another point in addition to this which has been considered is that a tax on a carriage can be defended as being an excise tax on a consumable commodity, and therefore is in it nature indirect, because the carriage in process of time is warn out; and politico-economic writers hold that when an article is destructible the tax imposed upon it is a tax upon a consumable commodity.

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commodily.

Another coint which may be raised when this question comes up in the Supreme Court of the United States is that an income tax, as provided for in this bill, is not uniform, and therefore is unconstitutional, as het coming within the provisions of the Constitution that all duties, imposts, and excises must be uniform. That question has never arisen before.

The great question, the question which must be fully discussed when any case arises to test the validity and constitutionality of the new law, is, is an income tax a direct tax or not? You are familiar with the fact that all the writers on taxation, all the politico-economic writers, English and French and American, have agreed that an income tax is in its nature a direct tax. I think the point can be further illustrated that it must be a direct tax by calling attention to the fact that a tax on the income of land, on the rents and profits arising from land, is the same in essence as a tax on the land itself; and this is shown by parity of reasoning from the the rents and profits arising from land, is the same in essence as a tax on the land itself; and this is shown by parity of reasoning from the illustration that a devise of the profits of land is the same as a devise of the land itself. So if a tax on land be a direct tax, a tax on the profits of the land must be also a direct tax. So, too, it can be argued that a general assessment of personal property or of all property being a direct tax, a tax on the income arising from the personal property must be also a direct tax. A decision of the Supreme Court can be cited where it was held that a tax on a bill of lading is the same as a tax on the emoluments of an office is the same as a tax on the emoluments of an office is the same as a tax on the office itself.

Let me call your attention to two recent decisions, one decision from the Supreme Court of the State of Missouri—and I call special attention to that, because I believe that the Representatives of that great State in this body have advocated the constitutionality of this tax. The

dvocated the constitutionality of this tax. The Supreme Court of Missouri said in 1869: There are three general classes of direct taxes; capitation, having effect solely upon persons; ad va-lorem, daving a ffect solely upon property; and in-come, having a mixed effect upon persons and prop-erty.

That is in the case of Glasgow agt. Rowse, reported in 43 Missouri.

Another recent case, and a case which I think must have some weight, although it comes from Great Britain, is the decision of the Privy Council, but rendered by the full bench of Judges, concurring in the opinion of Lord Hobhouse, where he says, in speaking of the point that had been raised, that a tax must be general in order to be a direct tax, that they reject that view, and he adds:

It would deny the character of a direct tax to the farone tax of this country, which is always spaken of as such, and is generally looked up in as a direct tax of the most obvious aind; and it would run counter to the common understanding of men on this subject, which is one main clue to the meaning of the Legislature.

Thus we have the decision of one of our own States and we have a decision of the highest court in Great Britain, holding clearly that at income tax is a direct tax. So much for the law, I have taken up a large portion of my time in stating reasons why I, as a lawyer, am astraided his act is wrong; that it is wrong because it is unconstitutional; and I presume that no lawyer should be willing to advocate any law which he believes to be unconstitutional, aside from any other question.

plumber, who suspected them of stealing his horse biankets early in the evening. The trail led to a black sloop anchored off Patchogue. With Shure was Policeman Merricle. The two men rowed out to the sloop. As they were boarding it a rush was made for the companion-way by the inmates of the cabin. Merricle covered the companion way with a pistor and the two inmates. Newins and Brush, were arrested. An examination of the boat revealed a lot of goods. Among them were a pile of newly killed chickens, some live chickens, horse biankets, ciothes, and other misselfaneous articles. Residents of Patchogue have been losing horse biankets, ciothes, and other misselfaneous articles. Residents of Patchogue have been losing horse biankets, ciothes, and other stuff since last fall filankets were taken from horses who were tied out inthe street on the coldest nights. A valuable team of William Hildreth were stripped of their blankets two weeks ago. The poor beasts were similar overcome by the cold when they were found by their owner, who, with his family, had been attending church. Capt. I twice hisker lost a number of chickens on several occasions. John Parks was another loser of politry. Other visitine were thanker loser of politry. Other visitine were thanker back an politory of the result weeks ago. The men are believed to be members of a gains which has been righting orsers loss the past few months, in the hold of the vessel from which the men were taken were found ovatermen's tools, rope, sails, and cubber goods. The men were brought before Judge Herman to night and remanded for trial until to-morrow.

An officer and two assistants went abound the boat to-night to make a more complete search of it.

A LITERARY THEFT BILL.

Democratic platform of any demand for an income tax, be it graduated or not.

And I apprehend the regiv to be found in this, that had such a plank been proposed in the national Convention of 1892 it would have been voted down overwhelmingly; and more than that, had it been incorporated in the platform of our party in 1892 it would have led to the defeat of the Democratic party. These are my reasons for orposing the incume tax. Because I believe it to be permicious and wrong in principle, aside from the Constitution or the law; because I believe it to be adverse to the spirit of the Constitution and of the grand men who framed that Constitution in 1787.

It is, aside from all minor details or questions of form, unconstitutional, wrong in principle, and it will be permicious in operation. It involves a disregard of one of the fundamental principles of this Government, and that is that it is a Government of absolute equality. And while it is certainly wrong to oppress the major for the benefit of the few, it is qualifying the principles of the few, it is qualifying the for the benefit of the few, it is qualifying the principles of the few the appropriation of the few principles of our critzens should be arranged to a larger number. Either proposition is undemocratic. The theory is that each and every class of our critzens should be an income tax were to be adopted it should be an income tax with the law in Great Britain. It should be an income tax is not principle of the few principles of the few principles of the few principles of the few IT TAKES COPPRIGHT PROTECTION FROM PERIODICALS. An Actempt to Pass the Micks Bill at the Present Seasion of Congress-Its Falls. cles Exposed-How It Would Help Plrates International Copyright in Danger. The attempt which is being made to do away with some of the valuable features of the Copy-right law of 1891, through the amendment of-

fered in the House by Mr. Hicks of Penneylvania in the last days of the last session of Congress, has stirred up a great opposition among the honest publishers of the country. These include such houses as Harper & Brothers, D. Appleton & Co., Charles Scribner's Sons, Dodd, Mead Co. O. P. Putnam's Sons, E. P. Dutton & Co., Henry Holt & Co., Houghton, Mifflin & Co., J. Selwyn Tait & Sons, Roberts Brothers, Little. Brown & Co., The Century Company, and the many other well-known reputable publishers in the country.

The persons who are behind this bill are keeping themselves in the background, but from the very character of the changes which the bill would effect, it is evident that it is being urged by a number of dishonest and disreputable sewspapers. That Mr. Hicks has been deceived by these disreputable pirates there can be little room to doubt. The arguments which he puts forth in support of the measure bear evidence that they were supplied to him by the same old gang of publishing thieves who originally fought the Copyright law, and were not the result of any original inquiry on his part. Had Mr. Hicks been in Congress at the time of the original fight, or looked up the history of the eight

see the fallacy of his arguments. As the law now stands it provides protection for "the author, inventor, designer, or proprieter of any book, map, chart, dramatic or musical composition, engraving, cut, print, or phe tograph or negative thereof, or of a painting, drawing, chromo, statuary, and of models or designs intended to be perfected as works of the fine arts." Copyright upon these productions of art and skill is regulated by the following provisions:

years' struggle which finally resulted in the

framing of the law as it now stands, he would

right unless he shall, on or before the day of publica tion, in this or any foreign country, deliver at the office of the Librarian of Congress, or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, a printed copy of the title of the book, map, chart, dramatic or musical composition, engrav-ing, cut, print, photograph, or chrome, or a description of the painting drawing statue statuary, or model or design, for a work of the fine arts, for which he desires a copyright; nor unless he shall also, nof later than the day of the publication also, nof later than the day of the publication thereof, in this or any foreign country, de liver at the office of the Librarian of Congress, at Washington, District of Columbia, or deposit in the mail, within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, two copies of such copyright book, map, chromo, out, print or photograph, or in case of a pathing, drawing statue, statuary, model of design for a work of the fine aris, a photograph of the same: Provided, That in the case of a book, photograph, chromo, or lithograph, the two copies of the same required to be delivered of deposited as above, shall be urinted from type see within the limits of the United States, or from plate made therefrom, or from negatives, or drawings of tron transfers made therefrom. Literature, the case of such copyright the importation into the Linter States, of any book, chrome, lithograph, ophotograph, so copyrighted, or any edition or edition thereof, or any plates of the same not made from type set, negatives, or drawings on stone made with the limits of the United States, shall be, and it is hereby prohibited, except in the cases specified in paragraphs 512 to 316, inclusive, in section two of the act entitled, an act to reduce the revenue an equalize the duties on important and for othe purposes, approved Oct. 1, 1860; and except in the case of persons purchasing for use and not for sale, who import subject to the duty thereon, in more than two copies of such book at any one time and except in the case of persons purchasing for one and magazine not containing in whose or in part matter copyright under the purpose, which are hereby exempted from prohibition of importation.

\*Note: The product of the same man for the purpose, which are hereby exempted from prohibition of importation. thereof, in this or any foreign country, de

Creker.

Now, the last statement, wherever made and by whomsoever made, is absolutely faise. I voted against the hill at the request or beheat of no man, of no leader, of no party, of no party organization. I voted against that bill because it contained this income-tax provision, and because I was brought up from the time I was a boy in college to believe that an income tax is wrong, pernicious, and unconstitutional.

I voted against it because, as I have said, it had no place in any of our party platforms, and it should never have been incorporated in the Tariff act. It may be true in the main that no man should consider himself stronger or wiser than his party. I have no such feeling. I should have voted for any other Democratic tariff measure if it had not been coupled with an iniquitious provision for direct taxation; but when I find the leaders of our party, or any of the leaders of our party, disregarding the party platform in one respect, following, if you will, straine gods and false herestes in regard to a question not theretofore mooted. I say that there is only one guide for a man, be he Democrat or be he Republican, and that is to let his own conscience dictate his course, whether he falis of election or reelection, whether he is relegated to private Hife and to professional practice or not. Mr. Chairman, I feel that the only safe rule of xuidance for a man is this: "Above all, to thine own self be true; and it must follow, as the night the day, thou canst not then be false to any man." [Applicate.] antitor, which are hereby taking to fine new Tariff act per-of importation.

\*Norz.—These paragraphs of the new Tariff act per-mit free importation of brooks, ac, note than twenty pears old, books in foreign languages, publications in-ported by the Government, or for societies, colleges, &c, and fibraries which have been in use one or more years, brought from alroad by persons or families and not for sale.

CRIBBED FROM MRS. ATHERTON.

Who Is "Vanity Fair's" Expert on the Pug Noses of New York Women!

This London despatch, published yesterday,

afforded a topic for considerable talk in town:

The New York correspondent of Vanity Fair.

if it is a " he," has borrowed his opinion from a

letter of Gertrude Atherton to THE SUN, and has

done her the compliment of putting it in her

TRACED TO THEIR BOAT.

Then Newins and Brush Were Surprised

and Arrested as Thieres. PATCHOGUE, Dec .- 16 .- Last night Daniel

Babylon were followed by James P. Snure, a plumber, who suspected them of stealing his

porse blankets early in the evening. The trail

adopt it. He said:

The following sections were added also to the afforded a topic for considerable talk in town:

"LONDON, Dec. 15.—The New York correspondent of Yonsiu Fair, writing upon the subject of New York women of fashion, says they are 'swarger,' without being high bred, and self-conscious where they would be haughty. Their repose he deciares to be mere lounging. Among seventy ladies whom he saw at the Horse Show recently held in New York, sitting, as the correspondent asserts, for the purpose of being stared at, most lacked modelling of nose and cheek, the prevailing type of the former feature being pug." The correspondent concludes by declaring that there is hardly one beautiful and high-bred woman in New York society."

The New York correspondent of Yondty Fair. olumes are published separately, and the first one shall not have been issued before this act shall take effect, and each number of a periodical shall be con-sidered an independent publication, subject to the

form of copyrighting as above.

Sac. 12. That this act shall only apply to a citizen or subject of a foreign State or nation when such foreign State of nation permits to citizens of the United States of America the benefit of copyright on substantially the same basts as its own citizens; or when such foreign State or nation is a party to an international agreement which provides for reciprocity in the grap: of copyright, by the terms of which agreement the a party to such agreement. The existence of either of the conditions aforesaid shall be determined by the President of the United States, by proclamation made own words. But since her opinion has been printed in London it seemed worth while to ask Mr. Ward McAllister if that inclined him to from time to time as the purposes of this act may

more as a show of fashion than as indicating a shows:

Mr. Hicks's bill would change section 4,956 great interest in horses observed as follows: "Provided. That in the case of a book, photograph, enguyesse, etching, chromo, or lithograph, the two copies of the same required to be delivered or deposited as above shall be printed from type set within the limits of the United States, or from biases made therefrom, or from negatives, or from congraced or dehed plates, or drawings on stone made within the limits of the United States, or from transfers made therefrom. During the existence of such copyright the importation into the United States of any book, chromo, engrucing, etching, or lithograph, or opportung, etching, or lithograph, or opportung, etching, or lithograph, or opportung, etching, or drawings on stone made within the imits of the United States, shall be, and it is hereby prohibited.

Section 11 it is proposed shall read:

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"The main o great interest in horses, chy'see; but our women in New York are much landsomer than the English women. That's why it's a pleasure to walk the streets chy'see, where the handsome women outnumber their sisters in London ten to one. Chunderstand? Of course, they have over there some distinguished beauties, like Lady Dudley, the Duchess of Leinster, and others whom everybody knows, chunderstandevery one has their pictures, chy'see, I've got 'um here—they have some distinguished beauties over there, chunderstand? with whom none of our women can compare, chunderstand? Not one of our women ean compare with 'em, but we've got more beautiful women here than they il ever have. Why, chy'see, their women are coarse looking. The ladies will pay no attention to the aspersion on the pugnose, chy'see. Why, the pugnose is indicative of talent, chunderstand? Of talent. Napoleon picked generals by their noses. Many of our most distinguished beauties have the retroused nose. But there are many more such poses in Loudon, chunderstand, more pug noses there than here, chy'see. Yes, think I've seen more of 'em there."

Mr. McAllister scorned the imputation that New York society women lounged when in ropose. He rather thought the Vourier for correspondent in New York are much handsomer than the

Mr. McAilister scorned the imputation that New York society wamen lounged when in repose. He rather thought the Venity Foir correspondent was Adam Clinton, a connection of the Duke of Newcastle, who need to be the "Passe-Partout" of the Molf and Eripress, but he was not sure. Mr. Clinton is a third son, nephew, or cousin, it is said, of the Duke of Newcastle. He married a Miss Zerega of the Westchester county family of that name. "He's a gentleman, chunder-stand, and should be qualified to form an opinion of women, the see? He sailed for England with his wife, I think, last Saturday. Chunder-stand—" Mr. McAllister did not once say "don't you know."
At one of the most prominent houses of the city, further up the avenue, the callers all day resterday had been laughing at the Vonity Fur man. They are confident that they know the writer, whom they have set down as a Britisher who was auxious to make an impression here, but was nover received and felt very much disappointed.

of the United States, and General applicates as well as damages.

"The amendment suggested is also a step in the same direction, and is intended to protect newspacers from an unfair and unjust construction of the same law. It is well settled, both in this country and England, that 'news' cannot be copyrighted, but the law, under the amund-

R-I-P-A-N-S.

The interesting case of Mrs. James Taylor, who resides at No. 82 Bailey avenue, Kingsbridge, New York.

New York, Dec. 14, 1894. Mrs. Taylor's Testimonial To the Ripans Chemical Co.:

My age is 65 years. For the past two years I have had liver trouble and indigestion. I always employed a physician, which I did in this case, but obtained no beneficial results. I never had any faith in patent medicines, but having seen Ripans Tabules recommended very highly in the New York Herald, I concluded to give them a trial. After using them for a short time I found they were just what my case demanded. I have never employed a physician since, which means \$2 a call and \$1 for medicine. One dollar's worth of Ripans Tabules lasts me a month, and I would not be without them if it were my last dollar. They are the only thing that ever gave me any permanent relief. I take great pleasure in recommending them to any one similarly affected.

Mrs. J. TAYLOR.

The constant beneficial use of Ripans Tabules in cases like this of Mrs. Taylor may be continued for years with all the advantage and no more possibility of harm than comes from a daily resort to any one of Nature's most beneficent springs of medicinal waters.

Ripans Tabules are to be obtained of druggists generally. The first-class stores situated in the most intelligent neighborhood are

ment, should be more explicit on this point, so that it may not be used for the purposes of petty persecutions. For instance, as the law may how be construed, if any newspaper happens to print a portrait of a public man, or a picture of a public building, or a race herse, or any other thing of current and public interest, no matter where the picture may be obtained, and even if the picture may have been obtained by the newspaper, by an independent photograph direct from the person or owner of the subject, the proprieters of any paper that had before published the same or a similar picture can harass the newspaper with threats of suit for infringement of the copyright laws, and rather than go to the expense of defending a possible suit—even where the complaint would be laughed out of court—the newspapers submit to humiliation rather than go to law in defence of their publication."

Of the amendment to section 11 he says:

"This amendment should also prevail, and the adoption of the amendment referred to will in no way interfere with other literary features or special articles published in weekly or daily journals, and they will still be entitled to protection under the Copyright law by registration of each article separate, instead of granting, as now, a blanket copyright on the mere title of the publication, such as Smith's or Jones's Illustrated Weekly."

rated Weekly.'
The failacy and deceit in the whole argument

The fallacy and deceit in the whole argument lies chiefly in the assumption that the amendment is needed to cure a defect in the law of 18th, to supplement that law, because in framing it something was overlooked. The people who want to use Mr. Hicks have evidently told him that in providing that books must be printed from type set in this country, lithographs from drawings on stone or transfers made here, photographs from negatives made here, it was intended also to make a similar provision in the cased also to make a similar provision in the case. drawings on stone or transfers made here, photographs from negatives made here, it was intended also to make a similar provision, in the case of engravings and etchings. This is not true. The men who drew the bill represented the American Copyright League the Author's League, the International Typographical Linon, and the Lithographers' Union. Every part of the bill was gone over carefully, and this particular point was extical only after a long debate. The omission was intentional, and its satisfactory to everybook adjustmently except certificatory to everybook adjustmently except cerisfactory to everybody apparently except cer-tain thieves in the newspaper business.
The subject was settled when the copyright bill got into the Senate after it had passed in the House. Senator Fire offered an amend-ment which covered this same ground. It was the stopest was sertion, which the problem in the House. Schaior krye offered an amendment which covered this same ground. It was passed, and a lot of work was required to get it finally taken out of the bill again.

This, then, is but an excuse. The real point which the men back of the Hicks bill hope to secure is the amendment to section 11. They seek to destroy all copyrights upon measpapers, daily or weekly, magazines, and, in fact, upon all periodicals. Their attack upon heavspaper copyrights is a direct one. That upon the other periodicals would be no less affective, because it is hidden under the term, "decoted in whole or in part to the news of the day." What weekly paper or magazine is there printed which is not devoted in part, at least, to the news of the day?

"This fight," said one of the men who have been in the war from the start. "Is not a fight between the publishers and the authors or artists. It is solely a fight between the publishers of this country, who are willing to pay good money to authors and artists in order to acquire property rights in what they publish, and the gain of unprincipled literary theves who desire to grow rich by pillering from every source. What they want to do is to be able to steal from all of the European publications, by destroying their rights to copyright entirely, and from all the home papers and magazines, by either doing the ease thing or at least making their rights of questionable value. Horger's, the Atlantic, the Century, Sechier's, Hurper's Weekly, Frank Lesle's, Puch, Judge, The Six, daily and Sunday, all and every one of these and many other publications, whose matter has been gathered and sifted at great expense of money and brains, would be thrown open to these thieves. That and nothing eies is their object."

The men who bere the brant of the work, in the last years of the Right, to get the flaw of 1831 passed, were R. U. Johnson of the Cantury, Secretary of the Authors' Copyright League. How these grathemen feel upon this matter can best, perhaps, b

ticable conditions upon feerin artists and upon American artists residing abroad destroy the copy-right that if was the intention of the existing law to secure to those artists for works of art reproduced in the form of engravings of photogravares. Esselved, Further, that the statement in the report from the Committee of Patents accompanying the Hicks bill, to the effect that it was "clearly not the intention of the law" (namely, the act of March, 1-of to secure copyright protection for works of an irri duced in the form of engravings, etchings or place gravures, is not in accord with the blatory of that act.

Brecheed. That in the opinion of this league the es actment of the Hicks bill would, by imposing imprac-

The purper of the Congressional Record of Feb. 18 and 19, 1891, give exidence that the proposal to except from experight art productions of this class was presented more than once as an amendment to the mean are then pending, and that after a very therough discussion this proposed amendment was rejected on the ground that it was entirely incompatible with the purpose of the International Copyright bill, which had been framed to secure the protection of copyright, not only for producers of works of observature, but also for producers of works of art. Esselved, Further, that this committee also cordial);

approves the resolution adopted by the Copyright League is opposition to the further amendment pro-posed in Mr. Hicks's bill for the modification of sction 4.967 of the existing act. It is the purpose of this among time to take away the proprietary rights now possessed by daily and weakly periodicals in the li-erary and artistic material contained in them. Such achange would inflict a serious wrong and injustice not only upon the propertors of these journals, but upon the authors and arises contributing to them, and it can be demanded only in the interest of those who desire to be left free to appropriate without compensation, literary and artistic productions. Anadout, Further, that the Hicks till would, if on acted constitute a breach of the international under-

European Interests of all American owners of copy-

fight property.

Resolved, That the Secretary of the league is instructed to place before Mr. Ricks and his fellow members of the House Committee up Patents the grounds for our opposition to the Ricks bill, and to take, in conjunction with the representatives of the American (atthors') Copyright League, such steps as may be found advisable to secure adverse action upon

the bill.

At a special meeting of the Executive Council of the American Copyright League these resolutions were passed unanimously:

Resolved. That we note with regret the introduction by Mr. Bioha of Pennsylvania of a bill (H. R. 7.853) the effect of which would be to withdraw copyright security in the United States from foreign etchers and engravers, and from Americans etching and engraving in foreign countries, by imposing upon them the im-practicable condition of doing their etching or engrav-

ing in this country; and
Resolved. That the passage of this bill would be, so
far as etching and engraving are concerned, a return
by the United States to the deplorable condition which existed before the passage of the set of March 3, 1891, substituting a refusal to protect this class of property for our present homerable policy. Net only would the bill imperil the interests of American engravers and etchers working abroad, but those of all American owners of copyright property, by inviting the exclusion of Americans from the security which, through international agreements based on the benefits of the pres ent law, they now enjoy in Great Britain, France, Ger many. Belgium, Switzerland, Denmark, Italy, and Portugal, Official protests have indeed already been made against this bill as a breach of international understanding.

Whereas, in the opinion of high authority, the clause of this bill "excepting daily or weekly newspapers or journals devoted in whole or in part to the news of the day " would deny copyright altogether to the newspaper press;

Resolved, That this measure would inflict a wrong

upon every reputable newspaper or journal by deny-ing proprietary rights in literary and artistic mate-rial, and it would induct this wrong in the interest of those only who desire to be left free to obtain the same without compensation.

same without compensation.

Resolved. That the Secretary of the league be directed to communicate these resolutions to Mr. Hicks and the other members of the Committee on Patents, and on the presumption that the effect of the bill has been misunderstood, respectfully to request Mr. Hicks and the committee to withdraw the bill in the interest of international good faith, and of American art and

Research, That the President and Secretary of the league be instructed to take any further action that may be necessary to carry into practical effect the opposition of the American Copyright League to this kill.

position of the American Copyright League to this bill.
In an editorial in the last number of the Century, Mr. Johnson says:
"Honest journals do not need to be convinced of the wisdom of the policy of paying for what they print, and there is no reason whatever why a monthly magazine, a weekly illustrated journal, or a daily newspaper should be exempted from the obligation of paying for the use of illustrative material. To do them justice, we know of none that advocates the exemption. Such a policy would be bad enough, but if, in addition, weeklies and dailies are not to be permitted to acquire property rights for which they are eager to pay, then is chaos come again, and the reversion to the old days of piracy but a question of time.

most intelligent neighborhood are certain to have them. Other stores will always obtain them to fill an order if given the opportunity.

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"It is incredible that Congress can be induced to pass a measure so objectionable from the boiling of the periodus effects which the Hicks bill would have," said Mr. Johnson, "One of the periodus effects which the Hicks bill would have," said Mr. Johnson, which is possible to pass a measure so objectionable from the boiling of view of morality and the public interest, one of the most charming and valuable of the illustrating done to-day is the standard of a public man, or a picture of a public man, or a picture of a public building, or a race horse, or any other thing of current and public interest, no matter where the picture may be obtained, and even if the picture may have been obtained by the newspaper, by an independent photograph direction of the old masters in faily.

"If Mr. Whistler wishes to tech a view of the Crand Causi, by all means let him come to the United States to do it! If Mr. Pennell wishes to make estimated in the picture may have been obtained by the newspaper, by an independent photograph direct from the person or owner of the subject, the proprietiers of any paper that had before published the same or a similar picture can harass the newspaper with threats of suit for in makings of French cathedrals, what better points of the opprietiers of any paper that had before published the same or a similar picture can harass the newspaper with threats of suit for in making to the view of the copyright laws, and rather than go to the copyright laws, and rather than go to the complaint would be laughed out of court—the newspapers submit to do their work in the United States or go without a copyright in this their native country."

## BURIED WITH JEWISH RITES Mr. Keyser's Second Interment a Contrast to That in Potter's Field.

Abraham Keyser of 425 East Eighty-third street was buried yesterday in Washington Cemetery, the Jewish burial place on the Coney Island road, south of Brooklyn. Abraham Keyser was the old man whose body was found in the Hutchinson River last Tuesday, and, after being buried in Potter's Field, Mount Vernon was exhumed and identified by his son on

Yesterday morning Rabbl Aaron Wise of the Synagogue Rodoph Scholom, Sixty-third street and Lexington avenue, accompanied by the sons of the dead man, excerted the body from Mt. Vernon down to 313 East 120th street, the residence of Mr. Keyser's daughter, Mrs. Cregan. Here the body was transferred from the undertaker's wagon to the hearse, and at 11 o'clock the funeral procession started. The transfer had to be effected in the street, as the rules of the Health Board do not permit of a body that has been disinterred being taken into any inhab-

ited building.

About twenty coaches accompanied the hearse and it was two hours before they arrived a About Iwenty coaches accompanied the hear and it was two hours before they arrived their destination. Here the coffin was taken from the hearse and carried into the chapel, who Rabbi Wise delivered a short funcar discount of the coffin was carried from the chapel to grave, the mourners following and chanting. Ninety-first Psalim in Hebrew, At the grave raths west through the ordinary Computer.

grave, the mourners following and channing the Ninety-first Psalm in Hebrew. At the grave the rathin went through the ordinary Commitment service, which is similar to that in use in the Episcopal Church. At the end of this service the rabbi and the relatives of the dead man separately cast handfuls of dust upon the coffin in token of submission. The ceremony closed with the "Kaddish" or prayer of sanctification, and a further expression of submission, recited by the near relatives.

This prayer is repeated in every synagogue of which a member has died every Friday and Saturday for a year after the death, the relatives of the dead man joining the reader in the repailtion. In very orthodox communities it is repeated every day. The Keyser family will also have to comply with another Jewish custom which enjoins that the bereaved family shall sit at home and not take part in any labor for a week after the funeral. The orthodox carry the custom still further, allowing the beard to grow and refraining from ablution for a period of thirty days. grow and refraining from ablution for a period of thirty days.

Delegates from all the Jewish societies in and around the city were present at Mr. Keyser's funeral, among them Register Levy, Grand Master of the Sous of Benjamin.

BICYCLE VERSUS FOOTPADS.

How a Verona Wheelman Escaped a Gang MOSTCLAIR, Dec. 16.-Samuel Gordon, an employee of Dr. H. B. Whitehorne, at Verona, was

waylaid by footpads last night on Bloomfield avenue, near the Montclair line, while on his way to Newark. Gordon went into a grocery store early in the evening to make some purchases, and told the clerk of his intention to go to Newark to buy an overcoat. At the time there were three strangers in the store. After returning to Dr. Whitehorne's house Gordon started for Newark on his bergle.

three strangers in the store. After returning to Dr. Whitehorne's house Gordon started for Newark on his bicycle.

When near the Mountain House a man rushed out from the side of the road and tried to seize him. Before Gordon could recover from his surprise he saw two men a short distance in front of him, one holding a fence rait in his path, foreign made a vigorous spurt and strang the rail, which few out of the man's hands, knocking the fellow down, Gordon kept his seat, and, exerting all his strength, he flow down the long hill into this town and reported his experience to the policy.

The spot in Verona where foreign was way, laid is a very lonely one and a favorite stamping ground for highwaymen, and three or four hold ups, or attenute, have courred in the neighborhood in the past six weeks. The last was that of Mrs. charles Williams, Mrs. Hind, and Miss Bloxam, who were accorded by three Italians one night while returning to their home at Verona.

Gordon was afraid to return to Verona last night. He remained and returned this more ing. With the exception of bending the brake Alvachment his bicycle was uninjured.

BOBBED AND LEFT FOR DEAD. Lewis Kramer of Philadelphia Attack from Behind by a Negro.

New Browswick, N. J., Dec. id.-Lee Kramer of Philadelphia was walking near ti ball grounds, on George street, in a lonely par-of this city, last night, when he was attacked from behind by a negro and knocked to the ground with a blow on the back of his head. When he attempted to defend himself he was beaten to the ground and kicked into insensibilmost only upon the proprietors of these journais, but upon the authors and artists contributing to them, and it can be demanded only in the interest of those who desire to be left free to appropriate without compensation, literary and artistic productions.

Analysis, Further, that the Hicks titl would, if an acted constitute a breach of the interesting in acted constitute a breach of the interesting in the interest and acted constitutes a breach of the interesting in the interesting and that is upon which have been based the sainting in ternational copyright arrangements, and that is upon the interest in a precurate description of the negro, who is still at large. Mew Bublieations.

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making both together, and always at their relation market values, the metallic basis of a sound currency. C. P. PUTNAM'S SONS,

Daniel Vierge, who has been called the "father of modern illustration," and stands at the head of pen-and-ink draughtsmen, is engaged upon a series of drawings for Scribner's Magazine of Spanish subjects which will illustrate several articles by his friend, August F. Jaccaci, entitled "In the Land of Don Quixote.' Vierge regards these drawings. in many respects, the most important he has ever made. and contributes them to an American magazine because of his desire for exact reproduction and careful printing.

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